



ALEX LIPMAN
direct dial: (212) 209-4919
ALipman@brownrudnick.com

Seven
Times
Square
New York
New York
10036
tel 212.209.4800
fax 212.209.4801

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VIA ECF FILING

The Honorable F. Dennis Saylor IV
John Joseph Moakley United States Courthouse
1 Courthouse Way, Suite 2300
Boston, MA 02210

RE: Jalbert v. SEC, Civ. Action No. 17-cv-12103-FDS

Dear Judge Saylor:

During oral argument on the Securities and Exchange Commission's Motion to Dismiss, counsel for Plaintiff Craig R. Jalbert, in his capacity as trustee of the F2 Liquidating Trust, referred to the case of *Kuretski v. Commissioner of Internal Revenue Service*, although mistakenly stated that *Kuretski* is cited in Plaintiff's opposition brief. It is not, but the citation to *Kuretski* is 755 F.3d 929, 937-38 (D.C. Cir. 2014).

Additionally, counsel referred to an *amicus curiae* brief that was filed in *Kokesh v. SEC*, 137 S. Ct. 1635 (2017). That brief, Brief for Mark Cuban as *Amicus Curiae* in Support of Petitioner, *Kokesh v. SEC*, 137 S. Ct. 1635 (Mar. 3, 2017), which is cited on pages 3-4 of Plaintiff's opposition brief in this matter, can be found at 2017 WL 929704.

Respectfully submitted,

BROWN RUDNICK LLP

A handwritten signature in black ink, appearing to read "Alex Lipman", with a long horizontal flourish extending to the right.

Alex Lipman

cc: All counsel of record (via ECF)